

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 4, 5, and 7-15 are pending in the present application; Claims 1 and 12-14 having been amended, Claim 6 having been canceled, and Claim 15 having been added by way of the present amendment.

In the outstanding Office Action, Claims 1 and 7-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukai et al. (U.S. 5, 557,546) in view of Angst (W0 03/004397 A1), Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukai et al. in view of Angst as applied to Claim 1 and further in view of Barreiro et al. (U.S. 2003/0000777 A1), and Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukai et al., in view Angst as applied to Claim 1 and further in view of Suzuki. These rejections are respectfully traversed.

Independent Claim 1 has been amended to recite:

a soundness diagnosing portion that performs an automatic diagnosis on soundness of the abnormality monitoring portion, the history information recording portion recording a result of the diagnosis by the soundness diagnosing portion.

Moreover, the soundness diagnosing portion performs the following additional feature:

the soundness diagnosing portion checks a computing result of the set value with respect to the car position for the diagnosis on the operation of the speed monitoring portion.

Additionally, the abnormality monitoring portion recites the feature of:

the abnormality monitoring portion is a speed monitoring portion that performs a comparison between a detected speed of the car and a set value, sets the set value according to a position of the car, and outputs the signal for stopping the car depending on a result of the comparison.

Thus, the amended form of Claim 1 clearly requires a soundness diagnosing portion having a specific function, and an abnormality monitoring portion that performs a comparison between a detected speed of the car and a set value, and sets the set value according to a position of the car. The soundness diagnosing portion was previously recited in Claim 6, now canceled. These features are not disclosed or suggested in the prior art.

More specifically, the prior art used to reject the claims including each of Fukai et al., Angst, Barreiro et al., and Suzuki neither disclose nor suggest the above-recited features set forth in Claim 1.

Independent Claim 12 has been amended to include similar limitations as independent Claim 1, and is patentable for similar reasons.

Added independent Claim 15 recites the invention using varying language but is patentable for similar reasons as independent Claims 1 and 12.

Consequently, in light of the above discussion and in view of the present amendment, the present application is in condition for formal allowance and an early and favorable action to that effect is requested.

Respectfully submitted,

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